

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

FILED

SEP 19 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

CR 19 0455

CRB

CARLOS FLORES and MEHARI TESFAI,

DEFENDANT(S).

INDICTMENT

21 U.S.C. § 841(a)(1) and (b)(1)(C) – Distribution of Cocaine Base;
21 U.S.C. § 841(a)(1) and (b)(1)(C) –
Possession with Intent to Distribute Cocaine Base;
21 U.S.C. § 841(a)(1) and (b)(1)(C) –
Possession with Intent to Distribute Heroin;
21 U.S.C. § 841(a)(1) and (b)(1)(C) –
Possession with Intent to Distribute Cocaine; and
21 U.S.C. § 853 – Forfeiture Allegation

A true bill.

Foreman

Filed in open court this 19 day of Sept 2019

KAREN L. HOM

John Jelders

Clerk

Warrant

Bail, \$ No Bail

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location

OFFENSE CHARGED

COUNT 1:
21 U.S.C. §§ 841(a)(1) & (b)(1)(C)

Minor
 Misdemeanor
 Felony

PENALTY: COUNT 1:
20 years' imprisonment; 1,000,000 fine; minimum 3 years' supervised release and maximum of life; \$100 special assessmentNORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DEFENDANT - U.S. SEP 19 2019

→ Carlos Flores SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

CRB

CR 19 0455

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.
1) If not detained give date any prior summons was served on above charges →2) Is a Fugitive3) Is on Bail or Release from (show District)

IS IN CUSTODY

4) On this charge5) On another conviction} Federal State6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer Yes
been filed? No} If "Yes"
give date
filedDATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

 This report amends AO 257 previously submittedName and Office of Person
Furnishing Information on this form DAVID L. ANDERSON U.S. Attorney Other U.S. AgencyName of Assistant U.S.
Attorney (if assigned) AUSA Michael A. Rodriguez

PROCESS:

 SUMMONS NO PROCESS* WARRANT

Bail Amount: No Bail

If Summons, complete following:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

 Arraignment Initial Appearance

Defendant Address:

Date/Time: Before Judge:

Comments:

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

COUNTS 2-4:
21 U.S.C. §§ 841(a)(1) & (b)(1)(C)

Under Seal
Belt
Minor
 Misdemeanor
 Felony

PENALTY: COUNTS 2-4:
20 years' imprisonment; 1,000,000 fine; minimum 3 years' supervised release and maximum of life; \$100 special assessment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISIONFILED
SEP 19 2019

DEFENDANT - U.S.

→ Mehari Tesfai CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

DISTRICT COURT NUMBER

CR 19 0455

CRB

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

DEA

person is awaiting trial in another Federal or State Court,
give name of court

this person/proceeding is transferred from another district
per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprocution of
charges previously dismissed
which were dismissed on motion
of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a
pending case involving this same
defendant

MAGISTRATE
CASE NO.

prior proceedings or appearance(s)
before U.S. Magistrate regarding this
defendant were recorded under

Name and Office of Person
Furnishing Information on this form DAVID L. ANDERSON

U.S. Attorney Other U.S. Agency

Name of Assistant U.S.
Attorney (if assigned) AUSA Michael A. Rodriguez

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) If not detained give date any prior
summons was served on above charges →2) Is a Fugitive3) Is on Bail or Release from (show District)

IS IN CUSTODY

4) On this charge5) On another conviction} Federal State6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer Yes
been filed? No} If "Yes"
give date
filedDATE OF
ARREST →

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY →

Month/Day/Year

 This report amends AO 257 previously submitted

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: No Bail

If Summons, complete following:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Arraignment Initial Appearance

Defendant Address:

Date/Time: _____ Before Judge: _____

Comments:

1 DAVID L. ANDERSON (CABN 149604)
2 United States Attorney

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FILED

SEP 19 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS FLORES and
MEHARI TESFAI,

Defendants.

CR 19 0455

) VIOLATIONS:
) 21 U.S.C. § 841(a)(1) and (b)(1)(C) – Distribution of
) Cocaine Base;
) 21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with
) Intent to Distribute Cocaine Base;
) 21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with
) Intent to Distribute Heroin;
) 21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with
) Intent to Distribute Cocaine; and
) 21 U.S.C. § 853 – Forfeiture Allegation

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. § 841(a)(1) and (b)(1)(C) – Distribution of Cocaine Base)

On or about August 27, 2019, in the Northern District of California, defendant,

CARLOS FLORES,

did knowingly and intentionally distribute a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section

INDICTMENT

18

1 841(a)(1) and (b)(1)(C).

2 COUNT TWO: (21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute
3 Cocaine Base)

4 On or about August 27, 2019, in the Northern District of California, defendant,

5 MEHARI TESFAI,

6 did knowingly and intentionally possess with the intent to distribute a mixture and substance containing
7 a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United
8 States Code, Section 841(a)(1) and (b)(1)(C).

9 COUNT THREE: (21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute
10 Heroin)

11 On or about August 27, 2019, in the Northern District of California, defendant,

12 MEHARI TESFAI,

13 did knowingly and intentionally possess with intent to distribute a mixture and substance containing a
14 detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States
15 Code, Section 841(a)(1) and (b)(1)(C).

16 COUNT FOUR: (21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute
17 Cocaine)

18 On or about August 27, 2019, in the Northern District of California, the defendant,

19 MEHARI TESFAI,

20 did knowingly and intentionally possess with the intent to distribute a mixture and substance containing
21 a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United
22 States Code, Section 841(a)(1) and (b)(1)(C).

23 FORFEITURE ALLEGATION: (21 U.S.C. § 853(a))

24 The allegations contained above are hereby re-alleged and incorporated by reference for the
25 purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853(a).

26 Upon conviction of any of the offenses alleged in Counts One through Four, above, the
27 defendants,

28 //

INDICTMENT

CARLOS FLORES and
MEHARI TESFAI,

3 shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853(a), all right, title,
4 and interest in any property constituting and derived from any proceeds defendants obtained, directly or
5 indirectly, as a result of such violations, and any property used, or intended to be used, in any manner or
6 part, to commit or to facilitate the commission of such violations, including but not limited to a
7 forfeiture money judgment.

If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

15 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
16 United States Code, Section 853(p).

17 All pursuant to Title 21, United States Code, Section 853, and Federal Rule of Criminal
18 Procedure 32.2.

DATED: 11/14/2014

A TRUE BILL.

FOREPERSON

DAVID L. ANDERSON

(Approved as to form:

MICHAEL A. RODRIGUEZ
Assistant United States Attorney

INDICTMENT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED

SEP 19 2019

CRIMINAL COVER SHEET

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA**Instructions:** Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

CASE NAME:

USA v. Carlos Flores & Mehari Tesfai

CR 19 0455

CR

CRB

Is This Case Under Seal? Yes NoTotal Number of Defendants: 1 2-7 8 or moreDoes this case involve ONLY charges
under 8 U.S.C. § 1325 and/or 1326? Yes No Venue (Per Crim. L.R. 18-1): SF OAK SJIs this a potential high-cost case? Yes No Is any defendant charged with
a death-penalty-eligible crime? Yes No Is this a RICO Act gang case? Yes No Assigned AUSA
(Lead Attorney): Michael A. Rodriguez Date Submitted: 9/19/2019

Comments: